

EXHIBIT B

From: "Wakefield, Jeff" <JWakefield@flahertylegal.com>
Date: March 19, 2020 at 4:47:56 PM EDT
To: "Cassandra L. Means" <Cassandra.L.Means@wvago.gov>
Cc: "Hunter, Erin K" <erin.k.hunter@wv.gov>
Subject: Re: Subpoenas to West Virginia Offices of the Insurance Commissioner

Sorry, I accidentally hit send.

I want to provide some context for proposing an extension more limited than what you have requested. While the civil actions were filed in 2017, they were transferred to the MDL in Cleveland and not remanded back to the Southern District of West Virginia until January of this year. The current and tight schedule under which we are operating was set by the District Court at a status conference held on March 5, two weeks ago. Thus, this is not a circumstance where a party has waited to the last minute to seek information from a non-party.

I would welcome the opportunity to discuss the subpoenas and responses further. I would propose we talk early next week and can be available on either Monday or Tuesday.

Jeff

Jeffrey Wakefield
Member

Flaherty
[304.347.4231](tel:304.347.4231)

From: "Wakefield, Jeff" <JWakefield@flahertylegal.com>
Date: March 19, 2020 at 4:36:15 PM EDT
To: "Cassandra L. Means" <Cassandra.L.Means@wvago.gov>
Cc: "Hunter, Erin K" <erin.k.hunter@wv.gov>
Subject: Re: Subpoenas to West Virginia Offices of the Insurance Commissioner

Cassie,

Thank you for your e-mail.

McKesson certainly appreciates the current situation, but we cannot agree to a 60 day extension of time to respond to the subpoenas. As I mentioned in our call yesterday, and you note in your e-mail, we are operating under an aggressive time schedule with documentary discovery to close at the end of April and deposition discovery to close by the middle of June. Accordingly, I can offer a 30 day extension from today's date (March 18).

In proposing a more limited extension I want

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On Mar 19, 2020, at 9:21 AM, Cassandra L. Means <Cassandra.L.Means@wvago.gov> wrote:

Mr. Wakefield:

I write to follow-up on our phone call yesterday afternoon regarding the subpoenas that were served Tuesday on the West Virginia Offices of the Insurance Commissioner ("WVOIC"). As we discussed, the Covid-19 pandemic has created logistical hurdles to the compilation and review of materials potentially responsive to the subpoenas. It further creates obstacles for the identification of and preparation of deponents.

Effective at the close of normal business yesterday, the WVOIC closed its buildings. Employees who have the capability to work remotely from home will do so. However, the employees will not have full access to materials potentially responsive to your subpoena. The office closures are anticipated to be in effect for approximately two weeks, or the end of March 2020. However, the closures could be either shortened or lengthened based upon the evolving nature of the pandemic.

I appreciate your agreement that March 31, 2020 was merely a placeholder date and that this subpoena return and deposition date will not be compelled. It is my understanding that you are under an aggressive scheduling order. However, it appears that this is a 2017 filed litigation and subpoenas were not served on my non-party client until six weeks prior to the close of your discovery during a world crisis. Therefore, due to logistical issues and the broad nature of your subpoenas, WVOIC would respectfully request 60 days to respond to the subpoenas and prepare for deposition. Please further note that WVOIC's request for a time extension does not waive the WVOIC's right to object or move to quash based upon the broad substance of the subpoena or undue burden, confidentiality, privilege, etc.

Again, thank you for your time this afternoon. I look forward to hearing back from you regarding our request for a 60-day extension.

Thanks,
Cassie

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